

AO 88A (Rev. 01/09) Subpoena to Testify at a Deposition or to Produce Documents in a Civil Action

UNITED STATES DISTRICT COURT

for the  
Eastern District of North Carolina

Hy-Ko Products Co., et al.

Plaintiff

v.

The Hillman Group, Inc.

Defendant

Civil Action No. 5:08 cv 1961

(If the action is pending in another district, state where:

Northern District of Ohio

SUBPOENA TO TESTIFY AT A DEPOSITION  
OR TO PRODUCE DOCUMENTS IN A CIVIL ACTION

To: Kaba Ilco Corp., c/o Frank Bellflower, 400 Jeffreys Road, Rocky Mount, NC 27804

☐ **Testimony:** YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization that is *not* a party in this case, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

Place:	Date and Time:
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The deposition will be recorded by this method: \_\_\_\_\_

☒ **Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material:

Please see Schedule A attached to this Subpoena. Please produce all requested documents and things to Thompson Hine LLP, 3900 Key Center, 127 Public Square, Cleveland, Ohio 44114 by July 24, 2009 at 10:00 a.m.

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 07/10/2009

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Hy-Ko Products Co. & Aurora Properties Holding Company, LLC, who issues or requests this subpoena, are:  
Gary L. Walters, Thompson Hine LLP, 3900 Key Center, 127 Public Square, Cleveland, Ohio 44114,  
Gary.Walters@ThompsonHine.com, 216-566-5500

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**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

This subpoena for (name of individual and title, if any) Kaba Ilco Corp.  
was received by me on (date) 7/10/09.

☐ I personally served the subpoena on the individual at (place) \_\_\_\_\_  
on (date) \_\_\_\_\_; or

☐ I left the subpoena at the individual's residence or usual place of abode with (name) \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on (date) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☒ I served the subpoena on (name of individual) JANET COOK (EXECUTIVE ASSISTANT), who is  
designated by law to accept service of process on behalf of (name of organization) KABA ILCO CORP  
AT 4:30 PM / 400 JEFFREYS RD RAINIER NC on (date) 7/10/09; or

☐ I returned the subpoena unexecuted because \_\_\_\_\_; or

☐ Other (specify): \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date:

7/10/09

\_\_\_\_\_  
Server's signature

RICHARD G. EATMON NCPI # 1756  
Printed name and title

2500 WEST WASH ST. STE. D  
WILSON NC 27896  
Server's address

Additional information regarding attempted service, etc: